

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 UNITED STATES OF AMERICA,  
5 Plaintiff(s),  
6 v.  
7 DANNIE LUCKETT,  
8 Defendant(s).

2:22-cr-00026-JCM-VCF

**AMENDED ORDER FOR A PSYCHIATRIC  
EXAMINATION AND REPORT RE:  
COMPETENCY**

9 Before the court is the unopposed motion for competency evaluation (ECF No. 16). Defendant  
10 states that the government does not oppose the instant motion.

11 Accordingly,

12 IT IS HEREBY ORDERED that the unopposed motion for competency evaluation (ECF No. 16) is  
13 GRANTED.

14 IT IS FURTHER ORDERED that a pretrial psychological and psychiatric examination as provided  
15 for in 18 U.S.C. § 4241(a) be conducted to determine the mental competence of the defendant.  
16 Specifically, the Court orders that, pursuant to 18 U.S.C. § 4247(b), the defendant be committed to the  
17 custody of the United States Attorney General for a reasonable period, not to exceed 45 days, for  
18 placement in a suitable facility for the purposes of a pretrial psychological and psychiatric examination.  
19 It is hereby ordered that the psychological and psychiatric examination of the defendant be conducted for  
20 the purposes of determining: (1) his competency to properly assist in his own defense; and (2) his  
21 competency to understand the nature and consequences of the proceeding against him.

22 The Court ORDERS that, pursuant to 18 U.S.C. § 4247, a psychiatric and  
23 psychological report be filed under seal with the Court. Copies of this report are to be provided to:  
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Assistant Federal Public Defender  
411 E Bonneville, Suite 250  
Las Vegas, NV 89101  
Telephone: 702-388-6577

Daniel J. Cowhig, Esq.  
U.S. Attorney's Office  
501 Las Vegas BLVD S, STE 1100  
Las Vegas, NV 89101-7071  
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Upon the defendant's release from the U.S. Bureau of Prisons facility, the Bureau of Prisons shall provide a discharge summary to the U.S. Marshals Service (to accompany the defendant while in transit), which includes a proposed treatment plan and a current list of any appropriate medication(s) with detailed dosage amounts. This document is also to be provided to the Court when the final forensic evaluation report is submitted.

This Court ORDERS that Speedy Trial time be tolled pursuant to 18 U.S.C. §§ 3161(h)(1)(a) and 3161(h)(8)(A) until a hearing can be held to determine the defendant's mental competency. The Court FINDS that failure to grant such a continuance under the Speedy Trial Act in this proceeding would make a continuation of such proceeding impossible because the defendant's mental competency is integral towards the defendant proceeding to trial; entering a guilty plea; or having the criminal charge dismissed because of defendant's mental incompetency.

Finally, this Court FINDS that the granting of the continuance is based upon the fact that the ends of justice served by taking such action outweighs the best interest of the public and the defendant in a speedy trial.

**IT IS FURTHER ORDERED**

1. That, if practicable, the Marshal's office transports the defendant directly to the designated Bureau of Prisons medical facility in the safest manner and as expeditiously as possible;
2. That the Bureau of Prisons notify the Marshal's office as soon as the Bureau of Prisons medical facility has completed the evaluation;
3. That, if practicable, the Marshal's office then transports directly or make arrangements for the defendant to be directly transported from the Bureau of Prisons

1 medical facility to a federal holding facility in the District of Nevada; and

2 4. That the Marshal's office notifies the Court as soon as defendant has returned  
3 to the District of Nevada.

4 DATED this 8th day of April 2022.



5 CAM FERENBACH  
6 UNITED STATES MAGISTRATE JUDGE  
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